

280 Hist. de l'Aban. N°1

Letters Patent,

UNDER THE GREAT SEAL

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,

ERECTING THE PROVINCE OF UPPER CANADA

INTO THE

**Bishopric of Toronto:**

AND APPOINTING

**JOHN STRACHAN, D.D.**

ARCHDEACON OF YORK,

**Bishop of Toronto,**

DATED 27TH JULY, 1839.

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TORONTO:

PRINTED AT THE DIOCESAN PRESS.

H. & W. ROWSELL, KING STREET.

1842.

Bibliothèque,  
Le Séminaire de Québec,  
3, rue de l'Université,  
Québec 4, QUE.





## Letters Patent,

Sc. Sc.

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Victoria by the Grace of God *Of the United  
Kingdom of Great Britain and Ireland, Queen,  
Defender of the Faith*

To all to whom these presents shall come Greeting

Whereas His late Majesty Our Royal Grand Father King George the Third did by his Letters Patent under the Great Seal of Great Britain bearing date at Westminster the twenty-eighth day of June one thousand seven hundred and ninety-three in the thirty-third year of his reign erect found ordain make and constitute the Provinces of Lower Canada and Upper Canada and their dependencies in America to be a Bishop's See to be called from thenceforth the Bishopric of Quebec and his said late Majesty by the same Letters Patent did name and appoint his well beloved Jacob Mountain Doctor in Divinity to be the first Bishop of the said See of Quebec and its dependencies and did give and grant to the said Jacob Mountain and his Successors Bishops of the said See of Quebec and its dependencies full power and authority to confer the Orders of Deacon and Priest to confirm those that are baptized and come to years of discretion and to perform all the functions peculiar and appropriate to the office of a Bishop and also by him or themselves or by his or their Commissary or Commissaries to exercise Jurisdiction Spiritual and Ecclesiastical in and throughout the

said See and Diocese according to the Laws and Canons of the Church of England which are lawfully made and received in England in the several causes and matters expressed and specified in the said Letters Patent and no other And his said late Majesty did by the said Letters Patent make a further declaration concerning the Spiritual causes and matters in which he would that the aforesaid jurisdiction should be exercised and did give and grant to the aforesaid Bishop and his Successors certain powers and authorities for the due performance of his and their Episcopal functions subject to certain limitations and reservations therein contained as by reference to the said Letters Patent will more fully appear And ~~Whereas~~ His late Majesty our Royal Uncle King George the Fourth upon the death of the said Jacob Mountain did by his Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland bearing date at Westminster the tenth day of November one thousand eight hundred and twenty-five in the sixth year of his reign name and appoint Charles James Stewart Doctor in Divinity to the said Bishopric of Quebec and its dependencies and did constitute and appoint him to be the Bishop and Ordinary Pastor thereof in as full and ample manner as the said See had been theretofore held and enjoyed by the said Jacob Mountain under the Letters Patent so granted by his said late Majesty King George the Third our Royal Grandfather as aforesaid and subject to all the clauses and conditions contained in the said Letters Patent as by reference thereunto had will more fully appear so that the said Charles James Stewart might by virtue of such nomination and appointment enter into and possess the said Bishop's See as the Bishop thereof during his natural life without let or impediment of his said late Majesty his Heirs or Successors subject nevertheless to any separation or division of the said several Provinces of Lower Canada and Upper

Canada and constituting the said Bishopric into several and distinct Sees which might at any time thereafter be deemed fit and expedient to be made **And Whereas** we have thought fit to separate the Province of Upper Canada from the said See of Quebec and to erect the said Province of Upper Canada into a new and distinct See or Bishopric to be called the See or Bishopric of Toronto **Now Know Ye** That we do by these presents separate the said Province of Upper Canada from the said See of Quebec and **do Erect Found Ordain Make and Constitute** the said Province of Upper Canada into a separate and distinct See or Bishopric to be called from henceforth **The See or Bishopric of Toronto** And to the end that this our intention may be carried into due effect we having great confidence in the learning moral probity and prudence of our well beloved **John Strachan** Doctor in Divinity now Archdeacon of York in our said Province of Upper Canada do name and appoint him the said John Strachan to be Bishop of the said See of Toronto so that he the said John Strachan shall be and be taken to be Bishop of the said Bishop's See of Toronto and may by virtue of this our nomination and appointment enter into and possess the said Bishop's See as the Bishop thereof during his natural life without any let or impediment of us our heirs or successors **And** we do by these Presents give and grant to the said John Strachan and his Successors Bishops of Toronto full power and authority to confer the Orders of Deacon and Priest to confirm those that are baptized and come to years of discretion and to perform all the other functions peculiar and appropriate to the office of a Bishop such Bishop and his Successors having been first duly ordained or consecrated Bishops according to the form prescribed by the Liturgy of the Church of England and also by him or themselves or his or their Commissary or Commissaries to be by him or them substituted to exercise Jurisdiction

Spiritual and Ecclesiastical in and throughout the said See and Diocese according to the laws and Canons of the Church of England which are lawfully made and received in England in the several causes and matters hereafter in these presents expressed and specified and no other And for a declaration of our Royal Will concerning the special causes and matters in which we will that the aforesaid jurisdiction shall be exercised We have further given and granted and do by these presents give and grant to the aforesaid Bishop and his Successors full power and authority by him or themselves or by his or their sufficient Commissary or Commissaries by him or them to be substituted and named to give Institution to Benefices and grant licences to Curates and to visit all Doctors Curates Ministers and Incumbents of all the Churches within the said Diocese wherein Divine Service shall be celebrated according to the rites and Liturgy of the Church of England and all Priests and Deacons in Holy Orders of the Church of England resident in the said Diocese with all and all manner of jurisdiction power and coercion Ecclesiastical as may be requisite in the premises as also to call before him or them or his or their Commissary or Commissaries at such competent days hours and places whatsoever when and as often as to him or them or his or their Commissary or Commissaries shall seem meet and convenient the aforesaid Doctors Curates Ministers Incumbents Priests or Deacons in holy Orders of the Church of England or any of them and to enquire by witnesses to be sworn in due form of law by him or them or his or their Commissary or Commissaries and by all other lawful ways and means by which the same may by law be best and most effectually done as well concerning their morals as their behaviour in their said offices and stations respectively as also to administer all such oaths as are accustomed to be taken in Ecclesiastical Courts and to punish and correct the aforesaid Doctors Curates

Ministers Incumbents Priests and Deacons in Holy Orders of the Church of England according to their demerits whether by removal deprivation suspension or other such Ecclesiastical censure or correction as they may be liable to according to the Canons and laws Ecclesiastical aforesaid And further we have given and granted and do by these presents give and grant to the aforesaid Bishop and his Successors full power and authority from time to time to name and substitute under his and their hands and Episcopal seals one or more sufficient Commissary or Commissaries to exercise and perform all and singular the premises in the said Diocese and the several parts thereof with effect and to remove and change the said Commissaries from time to time as to him or them shall seem expedient And We Will that during a vacancy of the said See by the demise of the said Bishop or his Successors or otherwise Institution to benefices and licences to Curates may be given by the Commissary or Commissaries who were so as aforesaid named and substituted by the last preceding Bishop and were in the possession of that office under such substitution and appointment at the time when the See became vacant And in case of the death of such Commissary or Commissaries before another Bishop is appointed to the said See We Will that Institution to benefices and licences to Curates within the said Diocese may be given by or by the authority of any two Clergymen of the Church of England resident in the said Diocese who shall be appointed for that purpose by the Governor of our Province of Upper Canada And Moreover we command and by these presents for us our heirs and successors strictly enjoin as well all and singular our Governors Judges and Justices as all and singular Doctors Curates Ministers Incumbents and other our subjects in our said Province of Upper Canada that they and every of them be aiding and assisting to the said Bishop and his



Successors and his or their Commissary or Commissaries in the execution of the premises in all things as becomes them Nevertheless We Will and do by these presents declare and ordain that it shall be lawful for any person or persons against whom any judgment decree or sentence shall be pronounced by any Commissary or Commissaries of the said Bishop or his Successors to demand a re-examination and review of such judgment decree or sentence before the Bishop himself or his Successors who upon such demand made shall take cognizance thereof and shall have full power and authority to affirm reverse or alter the said judgment sentence or decree of his or their Commissary or Commissaries after having fully and maturely re-examined and reviewed the same And if any party or parties shall conceive himself or themselves aggrieved by any judgment decree or sentence pronounced by the said Bishop or his successors either in case of any such revision or in any cause originally instituted before such Bishop or his successors it shall be lawful for such party or parties so conceiving himself or themselves to be aggrieved to Appeal from such Sentence to Us our heirs or successors in our or their Privy Council so as Notice of such Appeal be given to the said Bishop within fifteen days after such sentence shall have been pronounced and good and sufficient security in the penalty of one hundred pounds given by the appellant or appellants to pay such costs as shall be awarded in case the sentence appealed from shall be affirmed by Us our heirs or successors Moreover We will and grant by these presents that the said Bishop be a body corporate and do ordain make and constitute him to be a perpetual corporation and to have perpetual succession and that he and his successors be for ever hereafter called and known by the name of Bishop of Toronto and that he and his successors by the name aforesaid shall be able and capable in the law and have full power to



purchase have take hold and enjoy such manors messuages lands rents tenements annuities and hereditaments of what nature or kind soever in fee and in perpetuity or for term of life or years or by grant or license under the public seal of our said Province of Upper Canada or by other lawful means he or they shall at any time be authorized to take hold and enjoy and also all manner of goods chattels and things personal whatsoever of what nature or value soever and also to demise any of the said manors messuages lands tenements and hereditaments whereof or wherein he or they shall or may have any estate or interest as aforesaid in such manner as by licence under the public seal of our said Province of Upper Canada or other lawful means as aforesaid he or they shall at any time be authorized for that purpose And that he and his successors by and under the said name may prosecute claim plead and be impleaded defend and be defended answer and be answered in all manner of courts of Us our heirs and successors and elsewhere in and upon all and singular causes actions suits writs and demands real personal and mixed as well temporal as spiritual and in all other things causes and matters whatsoever And that he and his successors shall and may for ever hereafter have and use a corporate seal and the said seal from time to time at his and their will and pleasure to break change alter or make new as to him or them shall seem expedient **Moreover** We Will and ordain by these presents that the Bishop of the said See of Toronto and his successors shall be subject and subordinate to the Archiepiscopal See of the Province of Canterbury and to the Most Reverend Father in Christ William Lord Archbishop of Canterbury Primate of all England and Metropolitan and his Successors in the same manner as any Bishop of any See within the Province of Canterbury in our Kingdom of England is under the authority of the aforesaid Archiepiscopal See of Can-

terbury and the Archbishop thereof save and except in the matter of appeals from judgments decrees or sentences pronounced by the said Bishop of Toronto or his successors which We will shall not be made to the said Archbishop of Canterbury or to his Courts but to us our heirs or successors in manner aforesaid And to the end that all matters and things aforesaid may have their due effect We do hereby signify to the most Reverend Father in Christ William Lord Archbishop of Canterbury Primate of all England and Metropolitan that we have erected and founded the aforesaid Bishop's See of Toronto and have named and preferred our beloved John Strachan Doctor in Divinity to the said Bishopric and have appointed him the Bishop and Ordinary Pastor thereof requiring and by the faith and love whereby he is bound unto us commanding him to consecrate the aforesaid John Strachan Bishop of Toronto in manner accustomed and diligently to do and perform all other things as pertaining to his Office in this behalf with effect And further to the end that all the other things aforesaid may be firmly holden and done We will and grant to the aforesaid John Strachan that he shall have these our Letters Patent under our Great Seal of our United Kingdom of Great Britain and Ireland duly made and sealed ~~In~~ ~~Witness~~ whereof We have caused these our Letters to be made Patent ~~Witness~~ Ourself at Westminster the twenty-seventh day of July in the third year of our reign

By Writ of Privy Seal

(Signed)

Edmunds

Lambeth Palace, 30th July, 1839.

Let the Papers for the Consecration be prepared.

(Signed) W CANTUAR:

To the Right Worshipful John Nicholl L.L.D.

our Vicar General in Spirituals, or his

Surrogate.

